

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JAMES ROBINSON,
on behalf of himself and all others similarly situated,

Plaintiff,

v.

NATIONAL STUDENT CLEARINGHOUSE,

Defendant.

Civil Matter No. 19-CV-10749

JOINT MOTION TO STAY PROCEEDINGS
PENDING MEDIATION

The undersigned parties respectfully request this Court to stay all proceedings and deadlines in this matter, including the date to respond to the Complaint, pending the parties' attempt to resolve their dispute through mediation before the Honorable Diane M. Welsh (ret.), JAMS. As grounds for this motion, the parties state as follows:

1. Defendant is scheduled to file an answer in response to plaintiff's Complaint, by agreement, on July 17, 2019. However, the parties have agreed to initially attempt to resolve this dispute through mediation before Judge Welsh on Friday, August 9, 2019 at the Philadelphia office of JAMS.

2. The parties wish to engage in mediation without also simultaneously expending time and resources litigating the matter on contest. As such, the parties wish to stay these proceedings pending the mediation. The parties have agreed that either party may revoke its consent to the stay by written notice to the other party and, if such stay is revoked, the parties will promptly notify the Court.

3. Assuming this motion is granted, on or before August 16th, 2019, and following the August 9th JAMS mediation, the parties will file a joint status report advising the Court of the results of the mediation and stating the parties' positions on whether a further stay is warranted. If either party does not consent to continue the stay, the parties further request that the Court will lift the stay and return the matter to an active status.

4. No party will be prejudiced by the relief sought by this joint motion.

WHEREFORE, the parties respectfully request this Court to enter an order:

- A. Staying these proceedings, including the deadline to respond to the Complaint;
- B. Ordering the parties to submit a joint status report to the Court on August 16, 2019, describing the results of the mediation, the status of settlement discussions and the parties' positions as to whether a further stay is warranted.
- C. Granting such other relief as this Court deems just and appropriate.

SO ORDERED on this _____ day of June, 2019,

United States District Court Judge

Respectfully submitted,

JAMES ROBINSON,

By their attorneys,

/s/ James A. Francis

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*petition to appear *pro hac vice* forthcoming

Dated: June 20, 2019

Respectfully submitted,

NATIONAL STUDENT CLEARING
HOUSE,

By its attorneys,

/s/ David G. Thomas

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent via U.S. first class mail to those indicated as non-registered participants on June 20, 2019.

/s/ David G. Thomas